

Case 2:05-cv-00183-JCC

05-CV-00183-ORD

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JAVIER CHAVEZ-GARCIA,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

Case No. C05-0183-JCC-MAT
(CR01-109-JCC)

ORDER OF DISMISSAL

The Court, having reviewed petitioner's motion seeking to vacate, etc., filed pursuant to 28 U.S.C. § 2255, the Report and Recommendation of the Hon. Mary Alice Theiler, United States Magistrate Judge, and the remaining record, does hereby find and ORDER:

(1) The Court adopts the Report and Recommendation;

(2) Petitioner's motion to vacate, etc., filed pursuant to 28 U.S.C. § 2255 is
STRICKEN, and this action is DISMISSED.

(3) The Clerk is directed to send copies of this Order to the parties and Judge Theiler.

DATED this 7 day of Nov, 2005.

JOHN C. COUGHENOUR
United States District Judge